

Remarks

Favorable reconsideration of this application is requested in view of the following remarks. For the reasons set forth below, Applicant respectfully submits that the claimed invention is allowable over the cited references.

The non-final Office Action dated March 26, 2004, indicated that claims 1, 23 and 33 are objected to for an informality; the Specification is objected to; and claims 1-44 are rejected under 35 U.S.C. § 103(a) over *O'Neal et al.* (U.S. Patent No. 6,263,064) in view of *Kishinsky et al.* (U.S. Patent No. 6,286,033).

With respect to the objection to claims 1, 23 and 33, Applicant has overcome the objection by amending each of the objected-to claims to include the phrase corresponding to the acronym OOP. Applicant notes that the objection was not related to any patentability issues and requests that the objection be removed.

With respect to the Specification, Applicant has amended the Specification to update the Related Patent Documents section and accordingly requests that the objection to the Specification be removed.

Regarding the rejection of claims 1-44, Applicant respectfully traverses the Section 103(a) rejection because the Office Action fails to present a combination of references that corresponds to the claimed invention. The cited '064 teachings are far removed from the present invention such that there are no issues of patentability relative thereto. To the extent that Section 103(a) has been raised in the Office Action, Applicant respectfully submits that the '064 reference has been misinterpreted.

Applicant respectfully submits that there is no substantive relationship between the '064 and '033 references and the claimed invention and that a *prima facie* case of rejection has not been presented. A Section 103(a) *prima facie* rejection of a claim requires a proper presentation of evidence that would allege correspondence between the cited teachings (*e.g.*, from the cited references) and each limitation in the claims. However, in connection with the Section 103(a) rejection, only general assertions have been made and these assertions are based on citations to the '064 reference that are unrelated to the claimed invention. Instant claim 1, for example, is directed to a private branch exchange routing arrangement adapted to route IP telephony data. The '064 teachings with respect to the internet appear to be limited to using the internet to make communication routing selections for standard switched telephone networks. *See, e.g.*,

FIG. 1 and discussion at column 8, line 65 through column 9, line 43. The '064 reference does not appear to route any IP telephony data; rather, any internet-type communications are limited to simply passing information for controlling a communications system. In addition, after further review of the '064 reference, Applicant can find no mention therein of any of the following terminology: "IP" or "internet protocol." Furthermore, the Office Action has not shown how the '064 reference could function to route IP telephone data as claimed as the telephony data to which the '064 reference is directed is limited to standard switched telephone data.

Regarding the '033 reference, the cited portion of the reference broadly mentions object oriented programming (OOP) but fails to teach or suggest the claimed limitations, including a call-control application having an OOP telephony interface. The cited '033 reference appears limited to using OOP in connection with the implementation of CTI scripts for controlling switches, but fails to mention an OOP telephony interface as claimed. *See, e.g.*, column 2, lines 56-60.

Moreover, the Office Action generally indicates that the '064 reference is directed to a computer implemented control center. Then the Office Action asserts that the '064 "computer implemented control center" corresponds specifically to the limitations of the "configuration manager . . ." clause of claim 1, without providing any citations to the '064 reference or further explanation of how the general '064 teachings correspond to Applicant's claimed limitations. Applicant fails to understand how the general teachings of the '064 reference correspond to the "configuration manager . . ." clause. Further, the claimed configuration manager is adapted to configure information for routing IP telephony data, which as discussed above, is not taught by the '064 reference. Thus, the general '064 teachings cannot correspond to the claimed invention and the rejection is improper. Applicant accordingly requests that the rejection be withdrawn.

The Office Action further fails to show any correspondence to various dependent claims. With particular respect to claims 10 and 11, the Office Action acknowledges at page 4 that the '064 reference fails to teach the claimed limitations and further fails to assert any correspondence to the claimed communication via an Internet browser. Regarding claims 13-15, the Office Action acknowledges that the '064 reference fails to teach a media development kit for converting between logical data and telephony data. As discussed above, the skilled artisan would not modify the '064 reference to include

such a converter kit as the '064 reference only teaches one type of data, telephony data. Regarding claim 25, the Office Action fails to assert that the '064 reference teaches an analog-to-IP converter. Regarding claim 29, the Office Action fails to assert that the '064 reference teaches routing data as IP telephony data. Without a showing of correspondence to each of the claimed limitations, the Section 103(a) rejection cannot stand and Applicant requests that the rejection be withdrawn.

As each of the rejections is based on this apparent misinterpretation of the '064 and '033 references, the rejection of each of Applicant's pending claims should be removed.

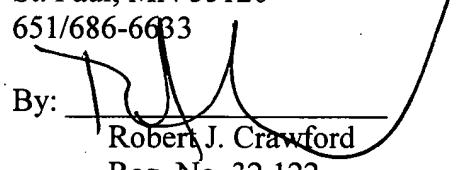
In view of the above discussion, Applicant believes that the rejection has been overcome and the application is in condition for allowance. A favorable response is requested. Should there be any remaining issues that could be readily addressed over the telephone, the Examiner is encouraged to contact the undersigned at (651) 686-6633.

Respectfully submitted,

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